

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|--|
| 09/21/2004 | E. Lee | 0.50 | 75.00 | Draft email to client and Ed Saffery re my meet and confer with Tim Hogan re plaintiff's and HTC's discovery responses |
| 09/22/2004 | J. Morgan | 0.30 | 34.50 | Discuss meeting with Hogan re: discovery w/WHC |
| 09/24/2004 | E. Lee | 0.10 | 6.00 | Telephone call w/ T Hogan's office re request for copies of documents |
| 09/27/2004 | W. Ching | 0.30 | 45.00 | Tel call with C Ikeno re email from T Hogan for plaintiff re issues with HTC discovery responses |
| 10/01/2004 | W. Ching | 0.40 | 60.00 | Exchange email with T Hogan re HTC responses to his 4 issues concerning HTC's discovery responses |
| 10/05/2004 | J. Morgan | 0.20 | 23.00 | Telcon with Michael Lam re: status of requested documents |
| 10/06/2004 | E. Lee | 1.50 | 97.50 | Review and assemble additional documents produced by Plaintiff re Kmart records |
| 10/11/2004 | L. Chong | 0.20 | 35.00 | Discussion w/ WHC re Plaintiff's initial discovery requests |
| 10/11/2004 | L. Chong | 0.60 | 105.00 | Formulated response objecting to requests for unrestricted disclosure of Defendant's proprietary in-house system, and to failure to show what software components are relevant to allegations of copyright infringement in suit. |
| 10/12/2004 | W. Ching | 0.40 | 60.00 | Tel calls with C Ikeno re Hogan's request for daily reports and for more information on HTC's new database program and exchange emails with Hogan re same |
| 10/12/2004 | E. Lee | 0.40 | 26.00 | Prepare client documents for production to Plaintiff |
| 10/26/2004 | W. Ching | 0.40 | 60.00 | Review messages from and exchange email with Hogan re discovery of HTC's daily reports |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 10/26/2004 | W. Ching | 0.30 | 45.00 | Review Hogan's and Hasoda's discovery letter briefs to Judge Kobayashi re Iowa Telecom records, plaintiff's consolidated reply to his motion for relief from rule 16 scheduling order |
| 10/26/2004 | J. Morgan | 0.60 | 69.00 | Address production issues regarding the in-bound and out-bound daily reports, including telcons to Lex Smith |
| 10/27/2004 | W. Ching | 0.40 | 60.00 | Review magistrate's discovery order re Noa's Iowa tel records, Noa's response to plaintiff's request for production of docs and Foodland motion for protective order |
| 10/27/2004 | J. Morgan | 0.20 | 23.00 | Telcon with Edmund Saffrey re: production of daily reports |
| 11/03/2004 | W. Ching | 0.20 | 30.00 | Tel call with L Smith re discovery disputes with Hogan |
| 11/05/2004 | J. Morgan | 2.70 | 310.50 | Revisit outstanding discovery requests to and from Plaintiff and draft status report re: same |
| 11/05/2004 | J. Morgan | 0.30 | 34.50 | Begin working on discovery deficiency letter to Hogan |
| 11/10/2004 | E. Lee | 0.20 | 13.00 | Telephone call w/ L Hosoda re Teresa Noa emails and production of documents |
| 11/17/2004 | J. Morgan | 0.60 | 69.00 | Begin drafting response to Hogan's letter re: outstanding discovery and stipulated protective order |
| 11/22/2004 | E. Lee | 0.20 | 13.00 | Telephone call w/ court reporter re questions concerning records to be produced by Iowa Telecom |
| 11/22/2004 | E. Lee | 0.20 | 13.00 | Follow up on status of documents requested from L Hosoda |
| 11/22/2004 | E. Lee | 0.50 | 32.50 | Review documents received from L Hosoda re T Noa emails |
| 11/23/2004 | J. Morgan | 0.40 | 46.00 | Draft joinders to Fleming's discovery requests |

| Date | Timekeeper | Time | Amount | Description of Service |
|--|-------------------|--------------|----------------|--|
| 11/23/2004 | J. Morgan | 0.30 | 34.50 | Review discovery notes regarding James Kleban for possible incorporation into discovery requests |
| 01/07/2005 | J. Morgan | 2.00 | 230.00 | Prepare for, attend, and draft summary of discovery conference |
| 01/07/2005 | W. Ching | 0.80 | 120.00 | Prepare for and attend conference with C Matsui, discovery master, and counsel |
| 01/07/2005 | W. Ching | 0.10 | 15.00 | Review summary of conference with C Matsui, discovery master, and memo from Hogan re same |
| 01/10/2005 | J. Morgan | 0.10 | 11.50 | Read proposed memorandum from discovery conference held on 1/7/05 |
| 01/11/2005 | W. Ching | 0.20 | 30.00 | Review email from Hogan and other counsel regarding SPO for various docs to be produced |
| 01/11/2005 | J. Morgan | 0.80 | 92.00 | Draft and send to clients summary of discovery conference held on 1/7/05 |
| 01/12/2005 | J. Morgan | 0.60 | 69.00 | Read Berry's Opposition to PCT's motion for discovery in Bankruptcy court |
| 05/13/2005 | J. Morgan | 0.40 | 46.00 | Read emails re: upcoming depositions and other discovery matters and read court orders re: Iowa Telecom and dispositive motions deadline |
| TOTALS: | W. Ching | 19.70 | 2955.00 | |
| | L. Chong | 0.80 | 140.00 | |
| | K. Douglas | 0.80 | 100.00 | |
| | J. Morgan | 39.00 | 4485.00 | |
| | E. Lee | 5.10 | 366.00 | |
| CATEGORY C - TOTAL LEGAL FEES (including Hawaii General Excise Tax) | | | | \$ 8,381.19 |

D. DEPOSITIONS

| Date | Timekeeper | Time | Amount | Description of Service |
|--|------------------|--------------|----------------|---|
| 06/07/2004 | W. Ching | 0.40 | 60.00 | Review and exchange emails with T Hogan re schedule for depositions this summer of HTC, Foodland, and individual named defendants |
| 06/15/2004 | W. Ching | 0.20 | 30.00 | Review letters and notices from counsel re depositions of Berry and Noa |
| 07/12/2004 | W. Ching | 0.20 | 30.00 | Review email from Hogan, Fine re Hogan's intention to depose Dillon |
| 12/01/2004 | J. Morgan | 0.30 | 34.50 | Contact with client re: upcoming depositions of Brian Christensen, Alfreda Airolama, and Jacqueline Rio |
| 12/03/2004 | J. Morgan | 0.50 | 57.50 | Telcons to Wendell Wei, Lyle Hosoda, and Raina Meade re: depositions on Monday |
| 12/06/2004 | J. Morgan | 3.80 | 437.00 | Attend deposition of Brian Christensen |
| 12/06/2004 | J. Morgan | 2.50 | 287.50 | Attend deposition of Jacqueline Rio |
| 12/06/2004 | J. Morgan | 1.50 | 172.50 | Attend deposition of Alfreda Waialomma |
| 12/07/2004 | J. Morgan | 3.00 | 345.00 | Begin drafting deposition summaries of Brian Christensen, Jacqueline Rio, and Alfreda Waioloma |
| 12/08/2004 | J. Morgan | 2.80 | 322.00 | Draft deposition summaries of Brian Christensen, Jacqueline Rio, and Alfreda Waioloma |
| 12/21/2004 | W. Ching | 0.20 | 30.00 | Review deposition summaries of B Christensen, J Rio and A Waioloma (Fleming/C&S employees) |
| 01/11/2005 | J. Morgan | 0.90 | 103.50 | Finalize deposition summaries and draft transmittal to send to clients |
| TOTALS: | W. Ching | 1.00 | 150.00 | |
| | J. Morgan | 15.30 | 1759.50 | |
| CATEGORY D - TOTAL LEGAL FEES (including Hawaii General Excise Tax) | | | | \$ 1,989.04 |

E. MOTIONS PRACTICE

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 04/13/2004 | K. Douglas | 0.90 | 112.50 | Research re: elements of contributory infringement |
| 06/02/2004 | W. Ching | 1.00 | 150.00 | Review plaintiff Berry's motion for issuance of preliminary injunction |
| 06/03/2004 | J. Morgan | 0.20 | 23.00 | Read Fleming's 5/28 Memo in Opp to Berry's Stmt of Appeal from Amended Rule 16 Scheduling Order filed on May 7, 2004 |
| 06/03/2004 | J. Morgan | 0.40 | 46.00 | Draft Joinder to Fleming's 5/28 Memo in Opp to Berry's Stmt of Appeal from Amended Rule 16 Scheduling Order filed on May 7, 2004 |
| 06/03/2004 | J. Morgan | 0.50 | 57.50 | Read Plaintiff's Motion for Issuance of Preliminary Injunction |
| 06/03/2004 | J. Morgan | 0.10 | 11.50 | Read Fleming's Additional Statement of Fact re: Amended Rule 16 Scheduling Order |
| 06/03/2004 | W. Ching | 0.10 | 15.00 | Review Fleming's additional statement of fact re amended rule 16 scheduling order |
| 08/12/2004 | J. Morgan | 2.00 | 230.00 | Begin researching RICO provisions for Motion for Summary Judgment |
| 08/14/2004 | W. Ching | 1.00 | 150.00 | Review Flemings opposition to Berry's motion for preliminary injunction and Dillon et al's and C & S joinders |
| 08/16/2004 | J. Morgan | 0.30 | 34.50 | Draft statement of no position to preliminary injunction |
| 08/17/2004 | W. Ching | 0.20 | 30.00 | Draft HTC statement of no position to plaintiff's motion for issuance of preliminary injunction |
| 08/20/2004 | W. Ching | 1.00 | 150.00 | Review plaintiff's replies to opposition of Fleming, Dillon et al, Hawaiian Express Service et al to plaintiff's motion for issuance of preliminary injunction and plaintiff's reply to Fleming's evidentiary objections and motion to strike portions of declarations and exhibits in support of plaintiff's motion for issuance of preliminary injunction |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|--|
| 08/24/2004 | J. Morgan | 0.50 | 57.50 | Identify motion to quash set for hearing on Monday at 11:30, including review of file, docket sheet, and tel call to Janey at Lex Smith's office |
| 08/25/2004 | J. Morgan | 0.10 | 11.50 | Continue initial research for motion for summary judgment |
| 08/25/2004 | J. Morgan | 2.00 | 230.00 | Begin reviewing pleadings in preparation for hearing on Monday re: Berry's Motion for Preliminary Injunction |
| 08/26/2004 | K. Douglas | 0.30 | 37.50 | Review Plaintiff's Reply to Dillon, et al's Joinder to Fleming's Opposition to Motion for Preliminary Injunction |
| 08/26/2004 | K. Douglas | 0.20 | 25.00 | Review Plaintiff's Reply to Fleming's Motion to Strike |
| 08/26/2004 | K. Douglas | 0.20 | 25.00 | Review Plaintiff's Reply to Hawaiian Express' Opposition to Motion for Preliminary Injunction |
| 08/26/2004 | K. Douglas | 0.40 | 50.00 | Review Plaintiff's Reply to Fleming's Opposition to Motion for Preliminary Injunction |
| 08/27/2004 | K. Douglas | 0.20 | 25.00 | Review Exhibit M submitted errata in Opposition to Plaintiff's Motion for Preliminary Injunction |
| 08/27/2004 | K. Douglas | 0.30 | 37.50 | Review Hawaiian Express Findings of Fact and Conclusions of Law |
| 08/27/2004 | K. Douglas | 0.40 | 50.00 | Review Berry's Findings of Fact and Conclusions of Law for Preliminary Injunction |
| 08/30/2004 | K. Douglas | 0.40 | 50.00 | Analyze options for HTC's Motion for Summary Judgment |
| 08/30/2004 | K. Douglas | 1.30 | 162.50 | Research re: case law in support of motion for summary judgment on issue of vicarious and contributory copyright infringement |
| 08/30/2004 | K. Douglas | 0.30 | 37.50 | Review Judge Mollway's inclination re: preliminary injunction |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 08/30/2004 | K. Douglas | 0.60 | 75.00 | Outline elements of claim for vicarious and contributory copyright infringement |
| 08/30/2004 | K. Douglas | 0.40 | 50.00 | Prepare analysis of factual issues to be determined for support of MSJ |
| 08/30/2004 | K. Douglas | 0.30 | 37.50 | Review Fleming's Proposed Findings of Fact and Conclusions of Law |
| 08/30/2004 | K. Douglas | 0.30 | 37.50 | Review Dillion, Noa's and Christensen's Memo in Opposition to Preliminary Injunction |
| 08/30/2004 | K. Douglas | 0.20 | 25.00 | Review Hawaiian Express Service's Memo in Opposition to Preliminary Injunction |
| 08/30/2004 | K. Douglas | 0.40 | 50.00 | Review Fleming's Memo in Opposition to Preliminary Injunction |
| 08/30/2004 | K. Douglas | 0.50 | 62.50 | Research re: innocent infringer defense |
| 09/07/2004 | W. Ching | 1.00 | 150.00 | Review proposed findings of fact and conclusions of law submitted by plaintiff, Fleming Companies, and HES |
| 09/08/2004 | K. Douglas | 0.30 | 37.50 | Review Fleming's Motion to Appoint Special Master |
| 09/15/2004 | W. Ching | 0.30 | 45.00 | Review Fleming's motion for appointment of special master and affidavit of Mark Dillon |
| 09/15/2004 | J. Morgan | 6.30 | 724.50 | Continue researching in preparation for drafting motion for summary judgment |
| 09/16/2004 | J. Morgan | 5.20 | 598.00 | Continue researching and begin drafting motion for summary judgment |
| 09/17/2004 | W. Ching | 0.20 | 30.00 | Review Fleming ex parte motion to advance motion for appointment of special master and court's minute order re same |
| 09/17/2004 | J. Morgan | 6.00 | 690.00 | Continue researching and drafting motion for summary judgment |
| 09/20/2004 | K. Douglas | 0.30 | 37.50 | Review Fleming's Motion to Appoint Special Master; Affidavit of Mark Dillon |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 09/20/2004 | K. Douglas | 0.40 | 50.00 | Analyze options for defense to direct infringement in drafting motion for summary judgment |
| 09/20/2004 | J. Morgan | 0.30 | 34.50 | Modify Joinder Motion |
| 09/20/2004 | J. Morgan | 6.20 | 713.00 | Continue drafting motion for summary judgment |
| 09/21/2004 | K. Douglas | 0.60 | 75.00 | Review factual basis for allegations of direct infringement |
| 09/21/2004 | J. Morgan | 6.40 | 736.00 | Continue drafting motion for summary judgment |
| 09/21/2004 | W. Ching | 1.00 | 150.00 | Review Affidavit of Wayne Berry and Exhibits 1 - 34 in support of plaintiff's motion for preliminary injunction, Foodland's memo of support and HEX joinder re Fleming's motion for special master and plaintiff's limited objection and response to Dillon et al's joinder |
| 09/22/2004 | J. Morgan | 0.50 | 57.50 | Read contract b/w Fleming and HTC and incorporate into motion for summary judgment |
| 09/22/2004 | K. Douglas | 3.20 | 400.00 | Review, comment, and modify HTC's Motion for Summary Judgment as to claims of direct infringement, vicarious and contributory infringement, RICO, Sherman Act and conspiracy to infringe |
| 09/22/2004 | W. Ching | 0.20 | 30.00 | Review Foodland response to Berry's limited objection re Fleming's motion for appointment of special master |
| 09/23/2004 | W. Ching | 0.20 | 30.00 | Review and revise HTC memo in response to Berry's limited objection to Fleming motion for appointment of special master |
| 09/23/2004 | K. Douglas | 2.80 | 350.00 | Continue review, comment, and modify HTC's Motion for Summary Judgment as to claims of direct infringement, vicarious and contributory infringement, RICO, Sherman Act and conspiracy to infringe |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|-------|---------|--|
| 09/23/2004 | K. Douglas | 0.50 | 62.50 | Review Plaintiff's Rico Statement |
| 09/23/2004 | K. Douglas | 0.40 | 50.00 | Review interrogatories and Second Amended Complaint for dates of infringement for possible estoppel argument |
| 09/23/2004 | K. Douglas | 0.40 | 50.00 | Research re: issue preclusion as applied to first Fleming lawsuit |
| 09/23/2004 | W. Ching | 0.10 | 15.00 | Review Alixpartners answer to plaintiff's second amended complaint |
| 09/23/2004 | W. Ching | 2.00 | 300.00 | Review and revise draft of HTC motion for summary judgment |
| 09/23/2004 | J. Morgan | 1.50 | 172.50 | Read Plt's Limited Objection to Appt of Special Master and Draft Reply |
| 09/23/2004 | J. Morgan | 2.10 | 241.50 | Research applicable/helpful cases for motion for summary judgment |
| 09/24/2004 | J. Morgan | 0.10 | 11.50 | Telcon to Lex Smith re: supporting information for MSJ |
| 09/24/2004 | J. Morgan | 0.80 | 92.00 | Discuss motion for summary judgment and other issues, including outstanding discovery with WHC |
| 09/24/2004 | J. Morgan | 0.30 | 34.50 | Read Mark Dillon Affidavit; |
| 09/24/2004 | J. Morgan | 0.30 | 34.50 | Begin reading Berry Affidavit; |
| 09/24/2004 | J. Morgan | 0.30 | 34.50 | Begin review of document submitted with Berry's FCS copyright registration |
| 09/24/2004 | W. Ching | 0.60 | 90.00 | Review issues concerning HTC's motion for SJ and HTC's responses to items raised by Hogan |
| 09/26/2004 | J. Morgan | 7.00 | 805.00 | Continue drafting motion for summary judgment |
| 09/27/2004 | J. Morgan | 11.30 | 1299.50 | Continue drafting motion for summary judgment |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 09/27/2004 | W. Ching | 0.30 | 45.00 | Draft email to client and Stephanick re court hearing before Judge Kobayashi on Fleming's motion for appointment of special master forensic computer specialist |
| 09/28/2004 | K. Douglas | 3.30 | 412.50 | Modify HTC's Motion for Summary Judgment as to claims of direct infringement, vicarious and contributory infringement, RICO, Sherman Act and conspiracy to infringe |
| 09/28/2004 | J. Morgan | 3.50 | 402.50 | Continue drafting motion for summary judgment |
| 09/28/2004 | W. Ching | 0.30 | 45.00 | Confer with JMM re hearing on motion for appointment of special master before Judge Kobayashi yesterday and hearing on plaintiff's motion for preliminary injunction today before Judge Mollway |
| 09/28/2004 | W. Ching | 2.00 | 300.00 | Review and comment on revised HTC motion for summary judgment |
| 09/29/2004 | J. Morgan | 7.90 | 908.50 | Continue revising motion for summary judgment; telcon to counsel re: extension; telcon to Hosoda re: facts in support of motion for summary judgment; telcon to client; draft declarations |
| 09/29/2004 | W. Ching | 0.50 | 75.00 | Analyze issues to be revised in HTC motion for SJ with JMM |
| 09/29/2004 | W. Ching | 0.20 | 30.00 | Tel call with C Ikeno re status of HTC motion for SJ |
| 09/29/2004 | W. Ching | 0.20 | 30.00 | Tel call with Ed Saffery re status of HTC motion for SJ |
| 09/30/2004 | K. Douglas | 4.20 | 525.00 | Modify Motion for Summary Judgment re: infringement, Rico, Sherman Act claims |
| 09/30/2004 | K. Douglas | 0.80 | 100.00 | Review and modify concise statement of facts and supporting affidavits |
| 09/30/2004 | K. Douglas | 0.90 | 112.50 | Update 9th Circuit case law re: finding of direct financial benefit as element of vicarious infringement |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|-------|---------|---|
| 09/30/2004 | J. Morgan | 10.50 | 1207.50 | Continue revising motion for summary judgment |
| 09/30/2004 | W. Ching | 4.00 | 600.00 | Review original and revised declarations of HTC employees Wei, Herig and Kunimura, revise HTC motion for SJ and HTC separate and concise statement of material facts and confer with KMD and JMM re finalization of HTC motion for SJ |
| 09/30/2004 | W Fujimoto | 0.30 | 18.00 | Prepare motion for summary judgment for filing at court |
| 10/04/2004 | J. Morgan | 0.50 | 57.50 | Draft supplemental filing motion for original declarations |
| 10/05/2004 | W. Ching | 0.20 | 30.00 | Draft letter to client HTC, D Stephanick and E Saffery with motions for SJ filed by HTC, Foodland and Noa et al |
| 10/05/2004 | W. Ching | 0.50 | 75.00 | Review plaintiff's motion for relief from scheduling order, confer with JMM re same, and review defendants Graham/Schaul motion to amend 5/7/04 amended rule 16 scheduling order |
| 10/05/2004 | W. Ching | 0.50 | 75.00 | Review Foodland and Noa et als motions for SJ |
| 10/05/2004 | J. Morgan | 0.10 | 11.50 | Review emails and send copy of MSJ to Clyde Ikeno |
| 10/05/2004 | J. Morgan | 0.10 | 11.50 | Send status report re: preliminary injunction hearing to clients |
| 10/07/2004 | K. Douglas | 0.30 | 37.50 | Review Defendants' Dillon, Christensen, Noa's Motion for Summary Judgment |
| 10/07/2004 | K. Douglas | 0.30 | 37.50 | Review Defendant Foodland's Motion for Summary Judgment |
| 10/08/2004 | J. Morgan | 0.50 | 57.50 | Read Graham/Schaul's Motion for relief from R. 16 Scheduling Order and draft statement of no Position |
| 10/08/2004 | J. Morgan | 3.30 | 379.50 | Read Hogan's Motion for Relief from Scheduling Order and research and draft Opposition |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 10/11/2004 | W. Ching | 2.00 | 300.00 | Revise HTC memo in opposition to plaintiff's motion for relief from scheduling order and prepare email responses to Hogan on his latest requests for additional information on HTC's 5/04 database program |
| 10/11/2004 | W. Ching | 0.20 | 30.00 | Review Foodland and individual defendants memoranda in opposition to plaintiff's motion for relief from scheduling order |
| 10/11/2004 | J. Morgan | 0.40 | 46.00 | Prepare No Opposition to Schaul/Graham's Motion to Amend Amended Rule 16 Scheduling Order |
| 10/11/2004 | J. Morgan | 0.50 | 57.50 | Edit Memo in Opp to Pltf's Motion for Relief from Scheduling Order |
| 10/11/2004 | J. Morgan | 0.20 | 23.00 | Read Foodland's Opposition to Pltf's Motion for Relief from Scheduling Order |
| 10/12/2004 | K. Douglas | 0.30 | 37.50 | Review Foodland's Memorandum in Opposition to Plaintiff's Motion to Amend Scheduling Order |
| 10/13/2004 | W. Ching | 1.50 | 225.00 | Review emails from Hogan requesting a continuance of certain defendants motions for SJ, draft email to counsel for other defendants and reply to email from them, draft email to Hogan and clients regarding discovery as to HTC, review letter from Colombe objecting to continuance of SJ motions |
| 10/14/2004 | K. Douglas | 0.30 | 37.50 | Review pleadings: Dillon et al.'s Opposition to Motion for Relief from Scheduling Order, Foodland's Statement of No Position to Amend Scheduling Order, Dillon et al.'s Statement of No Position to Amend Scheduling Order, |
| 10/20/2004 | J. Morgan | 0.50 | 57.50 | Begin reading Judge Mollway's order denying Pltf's Motion for Preliminary Injunction |
| 10/25/2004 | J. Morgan | 0.30 | 34.50 | Read Foodland's ex parte motion and motion for protective order |
| 10/25/2004 | J. Morgan | 0.20 | 23.00 | Begin reading Berry's Motion for Reconsideration of Preliminary Injunction |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|--|
| 10/27/2004 | W. Ching | 0.30 | 45.00 | Review emails from Hogan and tel call with him regarding HTC will not agree to continue our motion for SJ and his concerns re our proposed SPO |
| 10/28/2004 | W. Ching | 0.50 | 75.00 | Revise HTC memo in opposition to Berry's motion for order continuing motions for summary judgment |
| 10/28/2004 | J. Morgan | 0.10 | 11.50 | Telcon to Judge Mollway's chambers re: opposition |
| 10/28/2004 | J. Morgan | 6.30 | 724.50 | Draft opposition to ex parte motion for continuance |
| 10/29/2004 | W. Ching | 0.50 | 75.00 | Review revised Stipulated Protective Order to send to Hogan and revised HTC memo in opposition to Berry's motion for order continuing motions for summary judgment |
| 10/30/2004 | W. Ching | 0.50 | 75.00 | Review plaintiff's motion for order continuing motion for summary judgment and Dillon defendants' opposition to plaintiff's motion |
| 11/01/2004 | J. Morgan | 2.90 | 333.50 | Read recent court filings regarding Pltfs Motion to Continue; Pltfs motion for reconsideration; Defendants motions for summary judgment |
| 11/01/2004 | W. Ching | 0.50 | 75.00 | Review plaintiff's motion for reconsideration of order denying plaintiff's motion for preliminary injunction, Plaintiff's consolidated reply to oppositions of HTC et al to plaintiff's motion for order continuing motions for summary judgment, and Judge Mollway's order denying plaintiff's motion for order continuing motions for summary judgment |
| 11/01/2004 | W. Ching | 0.50 | 75.00 | Review Berry's memo in opposition to Foodland motion for protective order and Judge Kobayashi's minutes of her inclination re Foodland's motion for protective order |
| 11/02/2004 | W. Ching | 0.20 | 30.00 | Review plaintiff's memo in opposition to Foodland's motion for protective order and Foodland's reply memo |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|--|
| 11/03/2004 | W. Ching | 0.20 | 30.00 | Review plaintiff's motion for reconsideration of order denying plaintiff's motion for order continuing motions for SJ and Judge Kobayashi's minute order re Foodland's motion for protective order |
| 11/05/2004 | J. Morgan | 0.80 | 92.00 | Draft statement of no position regarding Berry's Motion for Reconsideration of Order denying his Motion for preliminary injunction |
| 11/05/2004 | W. Ching | 0.10 | 15.00 | Review Judge Mollway's order granting plaintiff's motion for reconsideration to continue motions for SJ |
| 11/08/2004 | J. Morgan | 1.00 | 115.00 | Read various case-related motions including, Fleming Cos objection to Plaintiff's motion for reconsideration of order denying preliminary injunction, Berry's statement of appeal re: Foodland protective order decision; and Individual Defendants opposition to Plt's motion for reconsideration of order denying preliminary injunction |
| 11/10/2004 | W. Ching | 0.40 | 60.00 | Review Berry's statement of appeal of order granting Foodland's motion for protective order, Foodland's response to Berry's appeal, Fleming and Dillon et al's opposition to Berry's motion for reconsideration of order denying Berry's motion for preliminary injunction |
| 12/20/2004 | J. Morgan | 0.40 | 46.00 | Draft statements of no position re: Foodland and individual defendants' motions for summary judgment |
| 12/20/2004 | J. Morgan | 1.00 | 115.00 | Read Berry's opposition to HTC's motion for summary judgment |
| 12/20/2004 | J. Morgan | 3.40 | 391.00 | Read Berry's opposition to Foodland's Motion for Summary Judgment and begin drafting reply to opposition |
| 12/21/2004 | J. Morgan | 6.90 | 793.50 | Continue reading Opposition to Foodland MSJ and exhibits; begin reading opposition to Christensen MSJ and review exhibits; Begin conducting research to draft reply |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 12/22/2004 | W. Ching | 0.80 | 120.00 | Review Berry's memo in opposition to HTC motion for SJ |
| 12/22/2004 | J. Morgan | 6.00 | 690.00 | Continue reading and analyzing oppositions and researching and outlining reply |
| 12/23/2004 | J. Morgan | 7.30 | 839.50 | Continue drafting reply to Berry's Opposition to HTC's Motion for Summary Judgment |
| 12/26/2004 | J. Morgan | 3.80 | 437.00 | Continue drafting reply to Plt's opposition to HTC's motion for summary judgment |
| 12/27/2004 | W. Ching | 1.00 | 150.00 | Review and revise HTC reply memo in support of HTC motion for SJ |
| 12/27/2004 | J. Morgan | 5.00 | 575.00 | Continue drafting reply to motion for summary judgment |
| 12/28/2004 | W. Ching | 1.00 | 150.00 | Confer with JMM re HTC reply memo in support of HTC motion for SJ |
| 12/28/2004 | W. Ching | 1.00 | 150.00 | Revise declarations of W Wei, N Hering and WHC to be filed with HTC reply memo |
| 12/28/2004 | W. Ching | 0.40 | 60.00 | Further study of Berry's memo in opposition to HTC motion for SJ |
| 12/28/2004 | J. Morgan | 7.60 | 874.00 | Continue drafting reply to opp to motion for summary judgment, including identify and prepare exhibits, and declarations |
| 12/29/2004 | W. Ching | 1.00 | 150.00 | Review and revise redraft of HTC reply memo in support of HTC motion for SJ |
| 12/29/2004 | W. Ching | 0.10 | 15.00 | Tel call with A Miller re our reply brief to Berry's memo in opp to HTC motion for SJ |
| 12/29/2004 | J. Morgan | 4.30 | 494.50 | Continue draft reply to motion for summary judgment and prepare for filing, including corresponding with client for declarations |
| 01/03/2005 | W. Ching | 1.00 | 150.00 | Review and study plaintiff Berry's oppositions to Foodland and Dillon/Christensen/Noa's motions for summary judgment and Foodland and Dillon/Christensen/Noa's reply memoranda in support of their motions for summary judgment |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 01/04/2005 | J. Morgan | 0.80 | 92.00 | Read the replies to Berry's Opposition's from Employee defendants and Foodland |
| 01/04/2005 | J. Morgan | 0.50 | 57.50 | Draft submission of original declarations for Nate Hering and Wendell Wei in connection with reply |
| 01/14/2005 | W. Ching | 0.20 | 30.00 | Review Judge Mollway's inclination to grant HTC, Foodland and Dillon, Christensen and Noa motions for SJ |
| 01/14/2005 | W. Ching | 0.20 | 30.00 | Tel call with L Colombe re Judge Mollway's inclination to grant HTC, Foodland and Dillon, Christensen and Noa motions for SJ |
| 01/14/2005 | J. Morgan | 0.30 | 34.50 | Read Judge's inclination re: motion for summary judgment |
| 01/19/2005 | W. Ching | 0.40 | 60.00 | Tel call with C Ikeno re hearing before Judge Mollway yesterday and her inclination posted on Friday to grant HTC et al's motions for SJ |
| 01/19/2005 | W. Ching | 0.10 | 15.00 | Revise status email to C Ikeno and R Urban re hearing before Judge Mollway yesterday and her inclination posted on Friday to grant HTC et al's motions for SJ |
| 01/19/2005 | W. Ching | 0.20 | 30.00 | Tel call with E Saffery re hearing before Judge Mollway yesterday and her inclination posted on Friday to grant HTC et al's motions for SJ |
| 01/31/2005 | W. Ching | 0.70 | 105.00 | Review and study Judge Mollway's order granting summary judgment for HTC and Foodland |
| 01/31/2005 | J. Morgan | 1.00 | 115.00 | Read Judge Mollway's order granting HTC's motion for summary judgment |
| 02/16/2005 | J. Morgan | 1.00 | 115.00 | Continue researching and drafting memo re: Rule 54(b) certification |
| 02/25/2005 | J. Morgan | 0.20 | 23.00 | Briefly read individual defendants motions for summary judgment |
| 02/28/2005 | J. Morgan | 0.30 | 34.50 | Continue researching Rule 54(b) certification memo |

| Date | Timekeeper | Time | Amount | Description of Service |
|--|-------------------|---------------|-----------------|---|
| 03/01/2005 | J. Morgan | 1.40 | 161.00 | Continue drafting recommendation memo re: Rule 54(b) certification |
| 03/02/2005 | J. Morgan | 1.40 | 161.00 | Continue drafting memo re: Rule 54(b) determination |
| 03/03/2005 | J. Morgan | 3.20 | 368.00 | Continue researching and drafting memorandum re: Rule 54(b) determination and motions for Rule 11 sanctions; telcon with Leroy Colombe, attorney for Foodland, re: same |
| 04/14/2005 | W. Ching | 0.20 | 30.00 | Review Judge Mollway's order denying defendants Ponce et al's motion for summary judgment |
| 04/15/2005 | J. Morgan | 0.20 | 23.00 | Read Order denying individual defendants motion for summary judgment |
| 04/16/2005 | W. Ching | 0.10 | 15.00 | Review Judge Kobayashi's minute orders re discovery disputes |
| 05/17/2005 | J. Morgan | 0.50 | 57.50 | Continue reading Berry's Motion for Summary Judgment |
| 06/03/2005 | J. Morgan | 0.90 | 103.50 | Begin reading plaintiff's dispositive motions and defendant's counter-motions |
| 06/17/2005 | W. Ching | 0.20 | 30.00 | Review Judge Mollway's order denying Berry's motion for SJ against AlixPartners and order granting Alixpartners motion for SJ |
| 07/07/2005 | W. Ching | 0.50 | 75.00 | Review Judge Mollway's order granting in part and denying in part Berry's motion for SJ, order granting C & S entities motion for summary judgment and transmit copies of same to client and carrier SJ |
| 11/10/2005 | W. Ching | 0.20 | 30.00 | Review court's order denying defendants' motion for SJ regarding damages |
| TOTALS: | W. Ching | 34.30 | 5145.00 | |
| | K. Douglas | 26.90 | 3362.50 | |
| | J. Morgan | 157.70 | 18135.50 | |
| | W Fujimoto | 0.30 | 18.00 | |
| CATEGORY E - TOTAL LEGAL FEES (including Hawaii General Excise Tax) | | | | \$ 27,771.69 |

F. ATTENDING COURT HEARINGS

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 02/17/2004 | W. Ching | 0.10 | 15.00 | Tel call with D Stephanick regarding authority for settlement conf this afternoon |
| 02/17/2004 | W. Ching | 2.40 | 360.00 | Prepare for and attend hearing on plaintiff's motion for leave to file second amended complaint and settlement conf before Judge L Kobayashi |
| 03/02/2004 | J. Morgan | 0.10 | 11.50 | Begin preparing for settlement conference on 3/3, including emailing client re: contact numbers and brief review of file |
| 03/03/2004 | J. Morgan | 1.10 | 126.50 | Prepare for settlement conference |
| 03/03/2004 | J. Morgan | 2.20 | 253.00 | Attend settlement conference |
| 03/03/2004 | J. Morgan | 0.80 | 92.00 | Draft client report regarding settlement conference |
| 03/06/2004 | W. Ching | 0.20 | 30.00 | Review status email about settlement conf from JMM and forward same to D Stepanick and C Ikeno at HTC |
| 03/17/2004 | J. Morgan | 0.80 | 92.00 | Attend status conference and send summary to WHC |
| 05/06/2004 | W. Ching | 2.00 | 300.00 | Prepare for and attend scheduling conf at Judge Kobayashi's chambers to set trial date in 9/0W. Chingnd confer with defense counsel to strategize discovery and motions |
| 05/07/2004 | W. Ching | 0.30 | 45.00 | Draft email to client and Stephanick/Miller re scheduling conference |
| 05/13/2004 | J. Morgan | 0.30 | 34.50 | Prepare for status conference |
| 05/13/2004 | J. Morgan | 0.80 | 92.00 | Attend status conference |
| 05/13/2004 | J. Morgan | 0.20 | 23.00 | Provide report on status conference |

| Date | Timekeeper | Time | Amount | Description of Service |
|------------|------------|------|--------|---|
| 05/04/2004 | W. Ching | 0.30 | 45.00 | Tel call with C Ikeno regarding what to expect with upcoming mediation tomorrow |
| 05/04/2004 | W. Ching | 0.20 | 30.00 | Tel call with A Miller regarding upcoming mediation tomorrow and availability of Dana by tel |
| 05/05/2004 | K. Douglas | 0.40 | 50.00 | Prepare case law support for mediation re: vicarious and contributory infringement |
| 05/05/2004 | W. Ching | 1.00 | 150.00 | Prepare for mediation at USDC with Judge Kobayashi and B Meyer |
| 05/05/2004 | W. Ching | 1.50 | 225.00 | Meet and confer with HTC reps C Ikeno and W Wei and A Miller of C & F in preparation for mediation at USDC with Judge Kobayashi and B Meyer |
| 05/05/2004 | W. Ching | 4.00 | 600.00 | Attend mediation with HTC reps C Ikeno and W Wei and A Miller of C & F at USDC with Judge Kobayashi and B Meyer and other parties and their counsel |
| 05/05/2004 | W. Ching | 0.50 | 75.00 | Draft email status letter to D Stephanick re mediation with HTC reps C Ikeno and W Wei and A Miller of C & F at USDC with Judge Kobayashi and B Meyer |
| 05/06/2004 | W. Ching | 0.20 | 30.00 | Exchange email with Dana Stephanick re aborted mediation and HTC motion for SJ |
| 08/30/2004 | J. Morgan | 1.30 | 149.50 | Continue preparing for hearing; attend hearing |
| 08/30/2004 | J. Morgan | 2.80 | 322.00 | Travel to and attend hearing |
| 09/27/2004 | W. Ching | 1.00 | 150.00 | Prepare for and attend court hearing before Judge Kobayashi on Fleming's motion for appointment of special master forensic computer specialist |
| 09/28/2004 | J. Morgan | 4.00 | 460.00 | Attend continued hearing re Berry's Motion for Preliminary Injunction before J. Mollway |
| 11/03/2004 | J. Morgan | 1.30 | 149.50 | Attend hearing on Foodland's Motion for Protective Order |
| 01/18/2005 | W. Ching | 2.00 | 300.00 | Attend hearing on HTC, Foodland, and Noa, Dillon and Christensen motions for summary judgment before Judge Mollway |

| Date | Timekeeper | Time | Amount | Description of Service |
|--|-------------------|--------------|----------------|---|
| 01/18/2005 | J. Morgan | 4.00 | 460.00 | Prepare for and attend hearing on HTC's motion for summary judgment |
| TOTALS: | W. Ching | 15.70 | 2355.00 | |
| | K. Douglas | 0.40 | 50.00 | |
| | J. Morgan | 19.70 | 2265.50 | |
| CATEGORY F - TOTAL LEGAL FEES (including Hawaii General Excise Tax) | | | | \$ 4,865.07 |

TOTAL LEGAL FEES FOR ALL CATEGORIES (A-F) \$ 58,212.61